Post 9/29/68

Pueblo Return Plan Ready

By Robert J. Donovan
Los Angeles Times

A plan for handling USS Pueblo crewmen returning from captivity in North Korea was distributed to top American military commanders two weeks ago, the Times has learned.

Distribution of a document running about 100 pages, with a covering letter from the Pentagon dated Sept. 13, coincided with unconfirmed reports that release of the 82 crewmen was then imminent.

Other than the curious timing of the document's restricted circulation — coming almost eight months after the Pueblo was seized on Jan. 23 —there was no suggestion in the document itself that the crew would be freed soon.

Sources with access to the document said the comprehensive operational plan spelled out a four-phase program for processing the crew. Presumably, the plan still is in effect. It has two principal objectives:

1 — To determine exactly through interrogation by intelligence specialists (after medical treatment) to what degree the spy ship's capture compromised national security (Phase One).

2 — To determine through subsequent questioning whether any crewman should be prosecuted or otherwise disciplined for his behavior during his imprisonment (Phase Three).

Phase Two of the processing covers a brief liberty for the crew in the San Diego area with their families. The Navy is prepared to transport 182 dependents of the crew to San Diego and house them there. Phase Four will provide extended leave for the men not subject to charges.

Regardless of where the crewmen are turned over to American authorities — the document indicates the release might occur in Eastern Europe as well as Asia—all are to be flown to the U. S. Naval Hospital at San Diego for treatment and the intensive intelligence debriefings.

In addition to the Navy, the document assigns specific repatriation responsibilities to

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eight other Government agencies, including the National Security Agency, the Central Intelligence Agency and the Defense Intelligence Agency—as well as the FBI.

The document does not explain the FBI's involvement other than to say that it will be responsible for providing information on private American citizens who may be involved in the repatriation.

Another possible reason for an FBI role in the Pueblo case could be the letters from some Pueblo crewmen to their families, Congressmen and other public officials. Some of the letters urging that the Johnson Administration admit the Pueblo violated North Korean territorial waters and apologize to that government were mailed within the United States but bore nonexistent return addresses. How those letters reached the United States has not been disclosed. It is possible they were brought in by Communist diplomats.

Urgent Theme

The document is said to make clear that the Government does not know what intelligence equipment or codebooks were intact when the North Koreans seized the Pueblo. At least some of the gear was destroyed by the crew before the Koreans boarded.

The urgent need to assess as quickly as possible the extent of the security damage is a constant thread running through the repatriation document.

In fact, the Government appears to be willing to subordinate possible prosecution of Pueblo crewmen to facilitate obtaining maximum information.

The document specifies that because of overriding need to establish the degree to which national security may have been compromised, the crewmen are not to be advised of their legal rights before being questioned in Phase One.

The document includes a memorandum from Rear Adm. Joseph B. McDevitt, the Navy's judge advocate general, discussing the landmark Miranda decision by the Supreme Court in 1966.

The Court held in that case that before questioning a suspect, police must advise him of his right to remain silent and his right to have an attorney. It held that confessions or other self-incriminating statements obtained before a suspect is so advised may not be used as evidence against him.

Accordingly, the McDevitt memo notes, special care must be taken that no information developed in the first phase of interrogation is used as leads or in any other manner in the Phase Three questioning.

Will Be Told Rights

In Phase Three, which will concern the possible convening of courts of inquiry to determine whether any crewman should be charged, the men wil be advised of their rights before they are questioned.

[The Pentagon said Friday that as a matter of policy, all returning prisoners of war are informed of their legal rights "at every stage of processing including intelligence debriefings." Newsmen were given copies of a June 8 memorandum signed by Deputy Secretary of Defense Paul H. Nitze stating that "in view of the physical and/or psychological pressures to which they (returnees) may have been subjected, particular care must be taken to insure that their rights and privileges are in no way compromised or diluted."]

The State Department has assigned two men who hold SI (strategic intelligence) security clearance to take part in the Phase One questioning. SI is a special variant of the top secret classification.

As an example of the meticulous planning for safeguarding the highly sensitive information in the possession of some Pueblo crewmen, the document is said to decree the following procedure:

Someone with SI clearance must be present at all times when any Pueblo crew member who also holds SI clearance is receiving medical treatment under an anesthetic. If inadvertent disclosures are made under such circumstances by the crew member, the SI observer must prepare a special report immediately including the identity of all those within hearing.

Special communications facilities are to be provided for the rapid transmission of debriefing information to top officials in Washington. The document says that such data may be needed to develop immediate policy positions by the Government.

This could have reference to such information as possible mistreatment of the crew by the North Koreans, which might be quickly made public; circumstances under which the numerous confessions made by crew members were obtained, or information bearing on whether the Pueblo entered North Korean waters.

The Pueblo's skipper, Lt. Cmdr. Lloyd M. Bucher, and other crewmen purportedly have confessed to an intrusion and to espionage activities.

The chief burden for the Phase One questioning will be borne by a special cryptologic-cryptographic damage assessment team from the National Security Agency. Code-cracking and other functions related to codes are the responsibility of the NSA.

The repatriation directive rules out press conferences or interviews with the crewmen throughout Phase One and says that interviews may be arranged in Phase Two only with crewmen selected by the Navy.

Commanders are advised to protect crew members and their families from persistent newsmen during the processing.